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NDTCO.020A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Li, Sheng et al.
Appl. No. : 10/692,573
Filed : 24 October 2003
For : CATIONIC POLYMERS HAVING
DEGRADABLE CROSSLINKS
Examiner : Burkhardt, Michael D
Group Art Unit : 1633

CERTIFICATE OF FAX TRANSMISSION
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February 23, 2006
(Date)

Joseph J. Mallon
Joseph J. Mallon, Reg. No. 39,287

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants have received the Office Action mailed December 16, 2005. Claims 1-20 are pending in this application.

Information Disclosure Statement (IDS)

Applicants acknowledge receipt of initialed copies of the IDS's filed on December 18, 2003 and January 27, 2004.

Applicants also acknowledge receipt of a copy of the IDS filed on December 24, 2005. That copy contains initials indicating that all of the listed references were considered by the Office except for FR 2 805 270 ("Biovector"). The Office has taken the position that the submission of the Biovector reference does not comply with 37 C.F.R. 1.98(a)(3) because the IDS submission did not include a concise explanation of its relevance.

Applicants respectfully disagree with the position taken by the Office. The relevance of the Biovector reference is explained in the copy of the International Search Report for PCT/US2004/033122 ("ISR"), which accompanied the Biovector reference in the IDS submission of December 24, 2005 (see cite no. 5). In particular, the relevance of the Biovector reference is explained on page 2 of the ISR, which indicates that it is a Category "A" document.